



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 5, 2022

VIA ECF & EMAIL

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007-1312

Re: *United States v. Ronnell Booth*, 15 Cr. 312 (PAE)

Dear Judge Engelmayer:

The Government submits this letter, with the consent of the United States Probation Office ("Probation"), to respectfully request that records maintained by Probation, including internal chronologies detailing Ronnell Booth's supervision, drug testing records, employment records, statements made by Booth, and any other records or evidence relating to the pending specifications, be unsealed.

The Court has scheduled a VOSR hearing in this case for June 8, 2022. The parties are continuing to engage in discussions regarding the potential for a disposition. However, Probation has indicated that they have information relevant to the specifications and upcoming hearing contained within their records, which they cannot release absent a court order. The Government expects that it may call the defendant's Probation Officer to testify and it may seek to admit evidence obtained through Probation's investigation of the specifications at the anticipated hearing, or any related sentencing proceeding. The Government therefore seeks these records from the Probation Office in order to comply with its disclosure obligations.¹

¹ The Government notes that at least one court in this District has denied a Government motion to unseal Probation records. *United States v. Joel Austin*, 06 Cr. 991 (JSR), Dkt. No. 87. The Government respectfully submits that the factual circumstances underlying the holding in *Austin* are wholly different than those here, where the Government is seeking to obtain the records to comply with its disclosure obligations and there has been no assertion that the defendant's statements to Probation were taken inadmissible under the Fifth and Sixth Amendments.

For these reasons, the Government respectfully requests that the Court grant this application permitting Probation to disclose the relevant records.

Very truly yours,

DAMIAN WILLIAMS
United States Attorney

by: /s/ Kimberly J. Ravener
Kimberly J. Ravener
Kevin Sullivan
Assistant United States Attorneys
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Cc: Andrew Dalack, Esq.

SO ORDERED: _____
Paul A. Engelmayer
United States District Judge

GRANTED. The Clerk of Court is requested to terminate the motion at Dkt. No. 98.

5/5/2022

SO ORDERED.

Paul A. Engelmayer
PAUL A. ENGELMAYER
United States District Judge